



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Ant

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/030,825	02/26/98	SHENHOLZ	G 172/19

022862
GLENN PATENT GROUP
3475 EDISON WAY
SUITE L
MENLO PARK CA 94025

TM11/1012

EXAMINER

SHANKAR, V

ART UNIT	PAPER NUMBER
----------	--------------

2673

DATE MAILED: 10/12/00

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on CPA filed on 8/22/00
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 16, 18-19 is/are pending in the application.
- Of the above claim(s) 1-15, 17 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 16, 18-19 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ ☐ Interview Summary, PTO-413
- ☒ Notice of References Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other _____

Office Action Summary

Art Unit: ~~2728~~ 2673

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 8-22-00 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/030,825 is acceptable and a CPA has been established. An action on the CPA follows.

2. Non-Elected Claims 1-14 should be canceled.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Art Unit: 2778

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami et al (5,023,408) in Stefik et al (4,814,552).

Regarding Claim 16, Murakami et al ('408 already provided in pto-8920 teaches an eraser device for use with a presentation board digitizer system, the eraser device comprising: a handle; an eraser element having a flat eraser surface (fig.5); and a plurality of contact microswitches located on the eraser surface, such that when a portion of the eraser surface contacts the presentation board, at least one microswitch corresponding to the portion is activated and when an entirety of the eraser surface contacts the presentation board all of the microswitches (461,471 in fig.5; col.7, line 3-68) are activated (Figs.1,5,15; summary; .col. 7, line 3 - col. 8, line 8). However, Murakami et al does not teach the narrow-band eraser device further comprising a plurality of ultra-sound transmitters and a plurality of infra-red transmitters for identifying contact with the presentation board.

Art Unit: 2778

Stefik et al teaches the ultrasonic position input device and the narrow-band eraser device further comprising a plurality of ultra-sound transmitters and a plurality of infra-red transmitters for identifying contact with the presentation board (summary; figs. 1a-1b, 2; column 3, line 22- column 4, line 51).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of invention to incorporate the teaching of Stefik et al into Murakami et al to perform the erasing functions on the presentation board.

Regarding Claims 18-19, Murakami et al teaches an eraser device further comprising one reflector for each of transmitters and a pressure-sensitive element for identifying contact with the presentation board (figs. 1, 5; summary; column 7, line 3-68).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

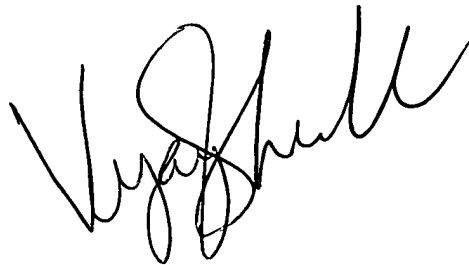
Yamaguchi et al, Verrier et al, and Fleck et al teach the digitizer pen and the eraser.

8. Applicant's arguments with respect to claims 16, 18-19 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2778

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIJAY SHANKAR whose telephone number is (703)305-4763.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-3900. The Group's new FAX number is (703)308-9051. This FAX number is to be used only for Group 2700 papers.

A handwritten signature in black ink, appearing to read 'Vijay Shankar', with a stylized, cursive script.

**VIJAY SHANKAR
PRIMARY EXAMINER
GROUP 2700**